(b) Annual Accounts of the Export Inspection Council of India and Export Inspection Agencies, New Delhi, for the year 2002-2003 and the Audit Report thereon.

(c) Review by Government on the working of the above Council and Agencies.

(d) Statement giving reasons for the delay in laying the papers mentioned at (a) and (b) above.

[Placed in Library. *See* No. L.T. 1061/04]

REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON TRANSPORT, TOURISM AND CULTURE

SHRI NILOTPAL BASU (West Bengal): Sir, I present the Eighty-third Report (in English and Hindi) of the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture on the 'Functioning of the Commission of Railway Safety'.

LEAVE OF ABSENCE

MR. CHAIRMAN: I have to inform Members that a letter has been received from Shri Vidya Nivas Misra stating that he is unable to attend the House as his wife has undergone a hip-bone surgery. He has, therefore, requested for the grant of Leave of Absence from 6th December, 2004 till the end of the current, *i.e.*, 203rd Session of the Rajya Sabha.

Does he have the permission of the House for remaining absent from the sittings of the House from 6th December, 2004 till the end of the current Session of the Rajya Sabha?

(No Hon. Member dissented.)

MR. CHAIRMAN: Permission to remain absent is granted.

MOTION FOR ELECTION TO THE REHABILITATION COUNCIL OF INDIA

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MEIRA KUMAR): Sir, I move the following Motion:

"That in pursuance of clause (h) of sub-section (3) of Section 3 read with sub-section (1) of Section 4 of the Rehabilitation Council of India Act, 1992 (No. 34 of 1992), this House do proceed to elect,

in such manner as the Chairman may direct, one Member from among the Members of the House to be a Member of the Rehabilitation Council of India."

The question was put and the motion was adopted.

MATTER RAISED WITH PERMISSION OF CHAIR

Re: Non-payment Of Access Deficit Charges (ADC) By Private Telecom Operators

SHRI NILOTPAL BASU (West Bengal): Mr. Chairman, Sir, with a very heavy heart, I rise today to bring to the notice of the House and also the Government regarding the huge scam in the telecom sector that has been taking place for the last one year, or, maybe, even more. But, Sir, as somebody who has been associated with this House for creating a situation whereby universal telecom connectivity can be provided to the people of this country, I find instances where institutions, which have been created through enactments by this august House, have criminally neglected their responsibility, in enforcing regulation and in due discharge of the legal powers that were provided to them. The result today, Sir, is that an amount of more than Rs. 2000 crores which was to be paid by certain private telecom operators to the Government and, through the Government, to the Bharat Sanchar Nigam Limited, to provide telecom connectivity to backward rural areas, far-flung areas has not been paid. Sir, now it is common knowledge and it is part of the public domain that a *prima facie* case has been established in regard to non-payment of ADCs at the prescribed rates which were stipulated by the Telecom Regulatory Authority of India, and also through the order of the Government of India. Sir, the sordid story begins with having a telecom regulator that was pliant, that was close to the Government. I recall the proceedings of this House when initially we had created the TRAI; and many of the Members in the Government today were part of the process.

Sir, in the Statement of Objects and Reasons of that Act, what we had provided for was that "TRAI will be set up for protection and promotion of consumer interest, and ensuring fair competition. There is a felt need to separate regulatory functions from service-providing functions, which will be in keeping with the general trend in the world." It further said, "in which the private operator will be competing with Government operators, there is a pressing need for an independent telecom regulatory body for regulation